PTO/SB/19 (08-03)

Spot 15,2003

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PLANT PATENT APPLICATION TRANSMITTAL

Attomey Docket No. First Named Inventor Title Express Mail Label No

(Only for new nonprovisional applications filed under 37 CFR 1.	53(b)) ET 784118093 US
ADDRESS TO: Commission P.O. Box 1	Patent Application oner for Patents 450 I, VA 22313-1450
APPLICATION ELEMENTS	ACCOMPANYING APPLICATION PARTS
See MPEP chapters 600 & 1600 concerning plant patent applica	ition contents.
1. Fee Transmittal Form (e.g., PTO/SB/17) Submit an original, and a duplicate for fee processing) Applicant claims small entity status. See 37 CFR 1.27. Specification (Total Pages (preferred arrangement set forth below) - Descriptive title of the invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Latin name of genus and species - Variety denomination - Background of the Invention - Brief Description of the Drawings - Detalled Botanical Description - A single claim - Abstract of the Disclosure 4. Color drawing(s) [Total Sheets 2 (2 copies required – 37 CFR 1.165(b)) 5. Oath or Declaration [Total Pages a Newly executed (original or copy) b. Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 16 complete in DELETION OF INVENTOR(s)) Signed statement attached deleting inventor(s) named in the prior application,	8. 37 CFR 3.73(b) Statement
see 37 CFR 1.63(d)(2) and 1.33(b). 6. Application Data Sheet. See 37 CFR 1.76.	;Note: Please state the Latin name and variety denomination of the plant claimed in a separate section of the specification.
title, or in an Application Data Sheet under 37 CFR 1.76. Continuation Divisional Continuation Prior application information: Examiner For CONTINUATION or DIVISIONAL APPS only: The ent Box 5b. is considered a part of the disclosure of the accomp	ion-in-part (CIP) of prior application No.: Art Unit: time disclosure of the prior application, from which an oath or declaration is supplied under panying continuation or divisional application and is hereby incorporated by reference.
	ORRESPONDENCE ADDRESS
Customer Number:	OR Correspondence address below
Name PLANTHAVEN INC	(GEOFFREY NEEDHAM)
Address P.O.BOX 305	56
CHY SANTA BARBARA	A State CA Zip Code 93130-3056
COUNTRY US A	Telephone 805 569 6498 Fax 805 569 6549
Name (Print/Type GEOFFREY,	NEEDHAM Registration No. (Attorney/Agent)
Signature CN and A	Date [Sout 15, 200 3

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Petent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mall Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL	And the New Mumber			
	Application Number			
for FY 2003	Filing Date Sept 15, 2003 First Named Inventor VIRGINIA MCNAUGHTON			
Effective 01/01/2003. Patent fees are subject to annual revision.).			
Applicant claims small entity status. See 37 CFR 1.27	Examiner Name			
700 00	Art Unit			
TOTAL AMOUNT OF PAYMENT (\$) 500 - 00				
METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)			
Check Credit card Money Other None 3. ADDITIONAL FEES				
Deposit Account:	Large Entity Small Entity Fee Fee Fee Fee Fee Fee Description			
Deposit E02161	Code (\$) Code (\$)			
Number	1051 130 2051 65 Surcharge - late filing fee or oath			
Deposit PLANTHAVEN INC	cover sheet			
Name The Director is authorized to: (check all that apply)	1053 130 1053 130 Non-English specification			
Charge fee(s) indicated below Credit any overpayments	1812 2,520 1812 2,520 For filling a request for ex parte reexamination 1804 920 1804 920 Requesting publication of SIR prior to			
Charge any additional fee(s) during the pendency of this application	n 1804 920* 1804 920* Requesting publication of SIR prior to Examiner action			
Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	1805, 1,840° 1805 1,840° Requesting publication of SIR after Examiner action			
FEE CALCULATION	1251 110 2251 55 Extension for reply within first month			
1. BASIC FILING FEE	1252, 410 2252 205 Extension for reply within second month			
Large Entity Small Entity	1253 930 2253 465 Extension for reply within third month			
Fee Fee Fee Fee Description Fee Paid Code (\$) Code (\$)	1254 1,450 2254 725 Extension for reply within fourth month			
1001 750 2001 375 Utility filing fee	1255 1,970 2255 985 Extension for reply within fifth month			
1002 330 2002 165 Design filing fee	1401 320 2401 160 Notice of Appeal			
1003 520 2003 260 Plant filing fee 2 60.50	1402 320 2402 160 Filling a brief in support of an appeal			
1004 750 2004 375 Reissue filing fee	1403 280 2403 140 Request for oral hearing			
1005 160 2005 80 Provisional filing fee	1451 1,510 1451 1,510 Petition to Institute a public use proceeding			
SUBTOTAL (1) (\$)240.00	1452 110 2452 55 Petition to revive - unavoidable			
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1453 1,300 2453 650 Petition to revive - unintentional			
Fee from Ext <u>ra Claims below</u> Fee Paid	1501 1,300 2501 650 Utility Issue fee (or reissue)			
Total Claims	1502 470 2502 235 Design Issue fee			
Independent Claims - 3** = X ==	1460 130 1460 130 Petitions to the Commissioner			
Multiple Dependent	1807 50 1807 50 Processing fee under 37 CFR 1.17(g)			
Large Entity Small Entity	1806 180 1806 180 Submission of Information Disclosure Stmt			
Fee Fee Fee Fee Description Code (\$)	8021 40 8021 (10 Recording each patent assignment per			
1202 18 2202 9 Claims in excess of 20	broperty (times number of properties)			
1201 84 2201 42 Independent claims in excess of 3	1809 750 2809 375 Filing a submission after final rejection (37 CFR 1.129(a))			
1203 280 2203 140 Multiple dependent claim, if not paid	1810 750 2810 375 For each additional invention to be examined (37 CFR 1.129(b))			
1204 84 2204 42 ** Reissue Independent daims over original patent	1801 750 2801 375 Request for Continued Examination (RCE)			
1205 18 2205 9 ** Reissue claims in excess of 20	1802 900 1802 900 Request for expedited examination			
and over original patent	of a design application Other fee (specify)			
**or number previously paid, if greater; For Reissues, see above	*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 40.00			
GODITOTAL (3) (\$) 40.00				
SUBMITTED BY Name (Print/Type) L' ED COPY 1 1 FR 1 AM 1	(Complete (if applicable))			
Name (Print/Type) GEOFFREY NEED KAM	(Attorney/Agent) Telephorie 305 569,6493			
Signature (Needhan	Date 9 15 03			

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be included on this f rm. Provide redit card information and auth rization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)

First 1		Virginia McNaughton
Title	LAVAN	BULA PLANT EP LAVSTS !!
Attorr	ney Docket Numb	per

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

09/15/2003

Signature

(805) 5691 6498

Telephone number

GEVERRY NEEDHAM

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing.**

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.